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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/854,198	05/11/2001	Arvind Puntambekar	SYCS-013	7925
959	7590	01/12/2005	EXAMINER	
LAHIVE & COCKFIELD, LLP. 28 STATE STREET BOSTON, MA 02109			STEVENS, ROBERTA A	
			ART UNIT	PAPER NUMBER
			2665	

DATE MAILED: 01/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application N .

09/854,198

Applicant(s) **AK**

PUNTAMBEKAR, ARVIND

Examiner

Roberta A Stevens

Art Unit

2665

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 May 2001.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-26 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Battou (U.S. 2003/0163555 A1).

3. Regarding claim 1, Battou teaches (abstract and figs. 2, 4, 9 and 19) a node in a communications network, comprising: an identification code; a control mechanism including configuration information for the node; and an alarm generator in the control mechanism for raising an alarm to a network user if there is a mismatch between the identification code and the configuration information (page 3, paragraphs 73-76 and page 6, paragraphs 96-99).

4. Regarding claim 2, Battou teaches (fig. 2 and page 3, paragraphs 73-76) the identification code is programmed into the backplane of the node.

5. Regarding claim 3, Battou teaches (pages 3-4, paragraph 76) a network protocol based connection, wherein the control mechanism disconnects the connection during the mismatch between the identification code and the configuration information to prevent the configuration information from being downloaded to the node.

Art Unit: 2665

6. Regarding claims 4 and 16, Battou teaches (pages 3-4, paragraph 76) the node permits live communications traffic to continue uninterrupted through the node during the mismatch.

7. Regarding claim 5, Battou teaches (fig. 4) at least one line card containing hardware elements, wherein the control mechanism is separated from the line card.

8. Regarding claim 6, Battou teaches (page 1, paragraph 12) the identification code comprises a chassis serial number.

9. Regarding claim 7, Battou teaches (fig. 2) the control mechanism is a primary switch management card.

10. Regarding claim 8, Battou teaches (fig. 4) a standby switch management card that assumes responsibilities of the primary switch management card in the event of a failure of the primary switch management card.

11. Regarding claim 9, Battou teaches (page 5, paragraphs 90-93) the mismatch synchronization of the standby switch management card with the primary switch management card.

Art Unit: 2665

12. Regarding claim 10, Battou teaches (page 6, paragraphs 96-99) the control mechanism runs a plurality of processes that perform a consistency check between stored configuration information and a hardware configuration for the node.

13. Regarding claim 11, Battou teaches (fig. 5 and page 6, paragraph 104) memory for saving a set of default configurations, wherein the node utilizes the set when there is a mismatch between the identification code and the configuration information.

14. Regarding claim 12, Battou teaches (fig. 2) the node disallows trunks from being configured during the mismatch.

15. Regarding claim 13, Battou teaches (fig. 2) the node disallows circuits from being configured during the mismatch.

16. Regarding claims 14 and 17, Battou teaches (pages 3-4, paragraph 76-78) the node prevents improper IP addresses from propagating through the network during the mismatch.

17. Regarding claim 15, Battou teaches (abstract and figs. 2, 4, 9 and 19) a method for restoring configuration information in a node of a communications network, comprising: performing a consistency check between an identification code program into the node and configuration information stored in a control mechanism in the node; and raising an alarm if the

Art Unit: 2665

consistency check reveals a mismatch between the identification code and the configuration information (page 3, paragraphs 73-76 and page 6, paragraphs 96-99).

18. Regarding claim 18, Battou teaches (pages 3-4, paragraph 76-78) preventing a set of processes for the node from running if there is a mismatch.

19. Regarding claim 19, Battou teaches (abstract and figs. 2, 4, 9 and 19) a method of preserving configuration information in a node of a communications network when there is a discrepancy between a hardware configuration and configuration information stored in a control mechanism for the node, comprising: performing a consistency check between an identification code program into the node and configuration information stored in a control mechanism in the node; and raising an alarm if the consistency check reveals a mismatch between the identification code and the configuration information (page 3, paragraphs 73-76 and page 6, paragraphs 96-99).

20. Regarding claim 20, Battou teaches (page 6, paragraphs 96-99) identifying inconsistencies between the configuration information and the hardware configuration.

21. Regarding claim 21, Battou teaches (page 3, paragraphs 73-76 and page 6, paragraphs 96-99) a port manager raises an alarm if a port configuration is mismatched.

22. Regarding claim 22, Battou teaches (page 3, paragraphs 73-76 and page 6, paragraphs 96-99) a trunk manager raises an alarm if a trunk configuration is mismatched.

Art Unit: 2665

23. Regarding claim 23, Battou teaches (page 3, paragraphs 73-76 and page 6, paragraphs 96-99) a signaling daemon raises an alarm if a cross connect is mismatched.

24. Regarding claim 24, Battou teaches (page 3, paragraphs 73-76 and page 6, paragraphs 96-99) recreating the configuration information in the control mechanism to match the hardware configuration.


25. Regarding claim 25, Battou teaches (page 3, paragraphs 73-76 and page 6, paragraphs 96-99) synchronizing configuration information in the control mechanism with configuration information registered in the hardware of the node.

26. Regarding claim 26, Battou teaches (page 6, paragraphs 99-101) synchronizing configuration information in the control mechanism with one or more neighboring nodes in the network.

Conclusion

1. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Roberta A Stevens whose telephone number is 571-272-3161. The examiner can normally be reached on M-F 9:00am-5:30pm.
2. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on 571-272-3155. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.
3. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Roberta A Stevens
Examiner
Art Unit 2665



STEVEN NGUYEN
PRIMARY EXAMINER